

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Box 1450, Alexandria, VA 22313-1450.

Tiffany E. Sexton  
Tiffany E. Sexton

03970 U.S. PRO  
10/649938  
08/27/03

BOX PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

03970 U.S. PRO  
10/649938  
08/27/03

**TRANSMITTAL OF FILING UNDER 37 CFR 1.53(b)**

1. **Type of Application**

This new application for a

Continuation

Divisional

application under 37 CFR 1.53(b), of pending prior application Serial No. 09/886,835, which was filed on June 21, 2001, of Daniel John Smith and David Peter Baldwin and entitled "CONDUIT WITH HEATED WICK".

2. **Benefit of Prior U.S. Application(s)**

The new application being transmitted claims the benefit of prior U.S. application(s).

Amend the specification by inserting on the first page, after the title:

This application is a continuation application of Serial No. 09/886,835, filed on June 21, 2001, and entitled "Conduit With Heated Wick".

3. **Papers Enclosed**

9 pages of specification

3 page of claims

1 page of Abstract

5 sheets of formal drawings

2 pages of *executed* declaration and power of attorney.

2 pages of an Application Data Sheet

4. **Amendments**

A Preliminary Amendment is enclosed.

5. **Information Disclosure Statement**

An Information Disclosure Statement is submitted herewith.

6. **Fee Calculation (37 CFR 1.16)**

CLAIMS AS FILED			
Number Filed	Number Extra	Rate	Basic Fee
			\$ 750.00
Total Claims	10	0	x \$ 18.00 \$ .00
Independent Claims	1	0	x \$ 84.00 \$ .00
Multiple dependent claim(s), if any			+ \$280.00 \$ .00
Filing Fee Calculation		\$	\$ 750.00

7. **Small Entity Status**

Applicant hereby asserts status as a Small Entity under 37 C.F.R. §1.27

8. **Inventorship Statement**

(a) With respect to the prior co-pending U.S. application from which this application claims benefit under 35 USC 120, the inventor(s) in this application is (are):

the same

less than those named in the prior application. It is requested that the following inventors identified above for the prior application be deleted:

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(b) The inventorship for the claims in this application is:

the same.

not the same. And an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

9. **Assignment**

The prior application is assigned of record to

Fisher & Paykel Healthcare Limited, 78 Springs Road, East Tamaki, Auckland, New Zealand

10. **Fee Payment Being Made At This Time**

basic filing fee: \$ 750.00

recording assignment (\$40.00; 37 CFR 1.21(h))  
(See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW PATENT APPLICATION".)

processing and retention fee (\$130.00; 37 CFR 1.53(d) and 1.21(l)).

11. **Method of Payment of Fees**

A check in the amount of \$750.00

12. **Authorization To Charge Additional Fees**

The Commissioner is hereby authorized to charge the following additional fees which may be required by this paper and during the entire pendency of the application to Account No. 12-2252.

37 CFR 1.16(a), (f) or (g) (filing fees)

37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

37 CFR 1.17 (application processing fees)

13. **Power of Attorney**

The power of attorney in the prior application is to  
Raiford A. Blackstone, Jr., Reg. No. 25,156

a.  The power appears in the original papers in the prior application.  
Enclosed herewith is a copy of the Power as originally filed on July 26, 2001.

b.  Because the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c.  A new power has been executed and is attached.

d.  Address all future communications to:

Raiford A. Blackstone, Jr.  
TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.  
105 W. Adams Street  
Suite 3600  
Chicago, Illinois 60603-6299  
(312) 704-1890

14. **Petition for Extension of Time in Prior Application**

A petition for extension of time and an amendment was filed on \_\_\_\_\_ with the pending parent application to extend the date for response up to and including \_\_\_\_\_.

A copy of the petition for extension of time in the pending parent application is attached.

Respectfully submitted,

TREXLER, BUSHNELL, GIANGIORGI,  
BLACKSTONE & MARR, LTD.

Attorney for Applicant

By:



Raiford A. Blackstone, Reg. No. 25,156

Linda L. Palomar, Reg. No. 37,903

Trexler, Bushnell, Giangiorgi,

Blackstone & Marr, Ltd.

105 W. Adams St., 36th Floor

Chicago, Illinois 60603

(312) 704-1890

Date: Aug. 27, 2003

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